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TO: EXAMINER ARDEN MARSCHEL  
FIRM: USPTO, ART UNIT 1631  
FAX NO.: (703) 746-4991  
FROM: JERRY HEFNER  
DATE: OCTOBER 16, 2003

OUR REF.: ELITRA.001A  
APPL. NO.: 09/492,709  
OPERATOR: DONNA BARON  
PAGES: 6 (INCL. COVER SHEET)

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#### MESSAGE:

Per our conversation today, attached please find the Supplemental Information Disclosure Statement that was hand delivered to the USPTO. The Transmittal Letter and Postcard are OIPE date stamped August 18, 2003.

Thank you for taking the time to review the IDS issues in this application.

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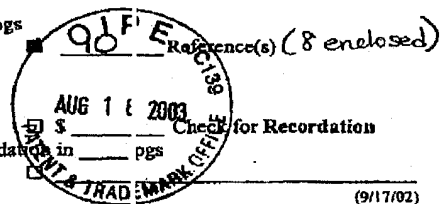
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UTILITY/DESIGN PATENT  
(document recordation / IDS)Date: August 18, 2003

Rec'd in the USPTO on the date stamped hereon via Certificate of Mail:

Docket #: ELTRA.001A Applicant: Zyskind et al.  
Title: Genes Identified as Required for Proliferation in...  
App No.: 09/492,709 Filed: 1/27/00  
Exr: Ardin Marschei Art Unit: 631  
Class/Sub-Class: \_\_\_\_\_ Re-Exam No.: \_\_\_\_\_  
VERIFIED BY: Asst: Dmb Atty: DOH/JL QC: DOH

- ☒ Transmittal Letter  
☒ Information Disclosure Statement in 1 pgs  
☒ Form PTO-1449 in 1 pgs  
☒ \$180 Check for IDS  
☐ Recordation Form Cover Sheet  
☐ Assignment in \_\_\_\_\_ pgs  
☐ \_\_\_\_\_ for Recordation in \_\_\_\_\_ pgs  
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## PATENT

Case Docket No. ELITRA.001A

Date: August 15, 2003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Zyskind, et al.  
 Appl. No. : 09/492,709  
 Filed : January 27, 2000  
 For : GENES IDENTIFIED AS  
 REQUIRED FOR  
 PROLIFERATION IN  
 ESCHERICHIA COLI  
 Examiner : A. Marschel  
 Group Art Unit : 1631

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 Receptionist, United States Patent and Trademark  
 Office, 1911 S. Clark Place, Crystal Mall, Arlington, VA  
 22202, on

August 15, 2003

(Date)

Daniel Hart

Daniel Hart, Reg. No. 40,637

## TRANSMITTAL LETTER

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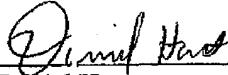
OCT 17 2003

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Supplemental Information Disclosure Statement.
- (X) A PTO Form 1449 with ten (10) references, eight (8) of which are enclosed.
- (X) A check is enclosed in the amount of \$180 to cover the fees set forth in 37 C.F.R. §1.17(p).
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
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ELITRA.001A

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Zyskind, et al.	)	Group Art Unit 1631
			)	
App. No.	:	09/492,709	)	
			)	
Filed	:	January 27, 2000	)	
			)	
For	:	GENES IDENTIFIED AS REQUIRED	)	
		FOR PROLIFERATION IN	)	
		ESCHERICHIA COLI	)	
			)	
Examiner	:	A. Marschel	)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

Enclosed is form PTO-1449 listing ten (10) references. References 1-8 are enclosed. References 9 and 10 are U.S. patent applications which are not publicly available but which Applicants believe are accessible to the PTO. Applicant; will file a Petition shortly requesting that the requirement for providing a paper copy of U.S. patent applications listed in an Information Disclosure Statement be waived with respect to References 9 and 10 in view of the fact that these applications are not accessible to Applicant; but are accessible to the USPTO.

This Information Disclosure Statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113 or after the mailing date of a Notice of Allowance under § 1.311. This Statement is accompanied by the fee set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410. A certification under 37 C.F.R. § 1.97(e) is set forth below.

Appl. No. : 09/492,709  
Filed : January 27, 2000

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(2)

I hereby certify that no item of information contained in this Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than 30 days prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 15, 2003

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	APPLICANT Zyskind, et al.	
	FILING DATE January 27, 2000	GROUP 1631

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	6,171,838 B1	01/09/01	Black			
	2	2002/0115217 A1	08/22/02	Fun, et al.			

FOREIGN PATENT DOCUMENTS									
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
							YES	NO	
	3	WO 99/18239	04/15/99	PCT					
	4	WO 01/07061 A1	02/01/01	PCT					
	5	WO 03/034027 A2	04/24/03	PCT					

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
	6	U.S. Patent Application No. 08/896,342, filed July 18, 1997.
	7	U.S. Provisional Patent Application No. 60/060,767, filed October 2, 1997.
	8	U.S. Patent Application No. 09/361,318, filed July 27, 1999.
	9	U.S. Patent Application No. 09/697,258.
	10	U.S. Patent Application No. 09/944,081.

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